

1632/11

**COMBINED AMENDMENT & PETITION FOR EXTENSION OF  
TIME UNDER 37 CFR 1.136(a) (Small Entity)**

<Docket No.  
02940139AA

APR 02 2003  
In Re Application Of: Schmidt-Ullrich, et al.

Serial No.  
09/714,790

Filing Date  
11/17/00

Examiner  
Chen

Group Art Unit  
1632

Invention: **GENETIC INHIBITION OF EPIDERMAL GROWTH FACTOR RECEPTOR FUNCTION AND  
CARCINOMA CELL RADIOSENSITIZATION**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of 12/17/02 in the above-identified application.  
Date

The requested extension is as follows (check time period desired):

☒ One month    ☐ Two months    ☐ Three months    ☐ Four months    ☐ Five months

from: 03/18/03 until: 04/17/03  
Date Date

A verified statement of small entity status as a small entity under 37 CFR 1.27:

- ☐ is enclosed.  
☐ has already been filed in this application.

The fee for the amendment and extension of time has been calculated as shown below:

**CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	35 -	32 =	3	x \$9.00	\$27.00
INDEP. CLAIMS	6 -	3 =	3	x \$42.00	\$126.00
FEE FOR AMENDMENT					\$153.00
FEE FOR EXTENSION OF TIME					\$55.00
<b>TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME</b>					<b>\$208.00</b>

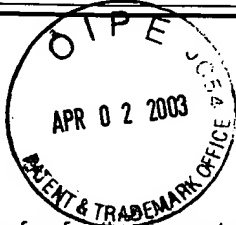
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**COMBINED AMENDMENT & PETITION FOR EXTENSION OF  
TIME UNDER 37 CFR 1.136(a) (Small Entity)**

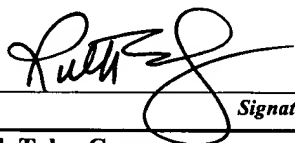
Docket No.  
**02940139AA**



The fee for the amendment and extension of time is to be paid as follows:

- ☒ A check in the amount of **\$208.00** for the amendment and extension of time is enclosed.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of **\$208.00**  
A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **50-2041**  
A duplicate copy of this sheet is enclosed.
- ☐ Any additional filing fees required under 37 C.F.R. 1.16.
- ☐ Any patent application processing fees under 37 CFR 1.17.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **50-2041** A duplicate copy of this sheet is enclosed.

**RECEIVED**  
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**TECH CENTER 1600/2900**

  
Signature

Dated: **April 2, 2003**

**Ruth Tyler-Cross**  
Reg No. 45,922  
Whitham, Curtis & Christofferson, P.C.  
11491 Sunset Hills Road, Suite 340  
Reston, Virginia 20190  
703-787-9400



**30743**

CC:

PATENT TRADEMARK OFFICE

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

**HAND DELIVERED**

Typed or Printed Name of Person Mailing Correspondence



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of Schmidt-Ullrich et al.

Serial No. 09/714,790

Examiner: Chen

Filed: 11/17/2000

Art Unit: 1632

For: ***"GENETIC INHIBITION OF EPIDERMAL GROWTH FACTOR RECEPTOR FUNCTION AND CARCINOMA CELL RADIOSENSITIZATION"***

Assistant Commissioner of Patents  
Washington, D.C. 20231

AMENDMENT UNDER 37 C.F.R. 1.111

Dear Sir:

In response to the Office Action mailed 12/17/2002, please amend the application as follows:

**In the Specification:**

Please delete the paragraph beginning on page 8, line 7 and ending on page 8 at line 11 and replace the deleted paragraph with a replacement paragraph, an edited version of which follows and a clean copy of which is attached in Appendix A:

**Figure 13.** [Transduction efficiency of Ad-EGFR-CD533 at increasing MOI.] Transduction efficiencies of MDA cells with Ad-LacZ at MOI's between 5 and 100. Expression of  $\beta$ -gal was determined by x-gal staining 48 h after transduction. All additional experiments were performed at 50 MOI yielding an overall transduction rate > 80% with < 20% associated cytotoxicity.

Please delete the paragraph beginning on page 50, line 19 and ending on page 51 at line 2 and replace the deleted paragraph with a replacement paragraph, an edited version of which follows and a clean copy of which is attached in Appendix A:

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